



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE LOWER MANHATTAN DISASTER
SITE
LITIGATION

Case No.: 21 MC 102(AKH)

-----X
THIS DOCUMENT APPLIES TO ALL
LOWER MANHATTAN DISASTER SITE
LITIGATION

**STIPULATION OF DISCONTINUANCE
AS TO DEFENDANT, GRUBB & ELLIS
MANAGEMENT SERVICES, INC.,
ONLY
FOR THE CASES LISTED IN THE
ATTACHED "EXHIBIT A"**

-----X
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties in the cases listed in the attached exhibit, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendant *GRUBB & ELLIS MANAGEMENT SERVICES, INC.*, only as to the claims being made as to the premises located at 22 Cortland Street, New York, New York for the cases listed in the attached exhibit shall be and the same hereby are discontinued without prejudice without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the course of the litigation which determines that *GRUBB & ELLIS MANAGEMENT SERVICES, INC.* are proper parties to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
October 2, 2012

McGIVNEY & KLUGER, P.C.
Attorneys for Defendant
GRUBB & ELLIS MANAGEMENT
SERVICES, INC.

By: 

Richard E. Leff (REL-2123)
80 Broad Street, 23rd Floor
New York, New York 10004
(212) 509-3456

GREGORY J. CANNATA & ASSOCIATES, P.C.
Attorneys for Plaintiffs

By: 

Robert Grochow
233 Broadway, 5th Floor
New York, NY, 10279
(212) 233 - 5400

So Ordered: 
10/4/12

EXHIBIT A

PLAINTIFF'S NAME	INDEX NUMBER	PLAINTIFF'S COUNSEL
Bello, Jose	06CV05164	Cannata
Checo, Manuel	05 CV 01093	Cannata
Liriano, Marliza	06CV05327	Cannata
Puello, Maria	07 CV 11294	Cannata
Ramirez, Irls Norma	05CV05666	Cannata
Sanchez, Alex Anthony	05 CV 01091	Cannata
Vargas, Edwin	06CV05326	Cannata
Wajda, Andrzej	05CV06269	Cannata